

North Dakota Board of Nursing

Meeting Minutes – January 17-18, 2008

Call to Order: January 17, 2008 at 8:30 a.m. – ND Healthcare Association Conference Room, 1622 E Interstate Ave Bismarck ND.

Roll Call: Eight board members present as follows:

JoAnn Sund, RN, President	Metta Schell, LPN
Mary Tello-Pool, LPN, Treasurer	Nelson (Buzz) Benson, RN, Vice-President
Charlene Christianson, RN	Julie Traynor, RN
Elizabeth Anderson, LPN	Roxane Case, Public Member

Absent: Donna Hegle, RN

Staff Present:

Constance Kalanek, RN, Executive Director	Karla Bitz, RN, Associate Director
Patricia Hill, RN, Asst. Director for Practice & Discipline	Julie Schwan, Admin Services Coordinator
Linda Shanta, RN, Associate Director for Education	

The meeting was telecast through IVN and BTWAN sites throughout the state. Observers were present as indicated on the attached rosters.

MINUTES REFLECT ACTIVE AGENDA ITEMS THAT WERE REVIEWED AND DISCUSSED AT THE MEETING.						
AGENDA ITEM		ACTION				
1.1 Consent Agenda		<i>Discussion:</i> The board reviewed the consent agenda.				
		<i>Motion:</i> Traynor, seconded by Anderson to: ADOPT THE CONSENT AGENDA AS PRESENTED.				
		<i>Roll call vote:</i> Anderson, yes; Benson, yes; Case, yes; Christianson, yes; Hegle, absent; Schell, yes; Sund, yes; Tello-Pool, yes; Traynor, yes; 8 yes, 0 no, 1 absent. Motion carried.				
1.2 Agenda		<i>Discussion:</i> The agenda was reviewed as distributed. No revisions were identified.				
		<i>Motion:</i> Benson, seconded by Case to: APPROVE THE AGENDA AS DISTRIBUTED.				
		<i>Roll call vote:</i> Anderson, yes; Benson, yes; Case, yes; Christianson, yes; Hegle, absent; Schell, yes; Sund, yes; Tello-Pool, yes; Traynor, yes; 8 yes, 0 no, 1 absent. Motion carried.				
1.3 Open Forum 9:00 a.m.		Open forum was called at 9:00 a.m. No one was present to address the board.				
2.1 November 15-16, 2007 Meeting Minutes		<i>Discussion:</i> The minutes of the November 15-16, 2007 meeting were reviewed.				
		<i>Motion:</i> Traynor, seconded by Schell to: APPROVE THE MINUTES OF THE NOVEMBER 15-16, 2007 MEETING AS DISTRIBUTED.				
		<i>Roll call vote:</i> Anderson, yes; Benson, yes; Case, yes; Christianson, yes; Hegle, absent; Schell, yes; Sund, yes; Tello-Pool, yes; Traynor, yes; 8 yes, 0 no, 1 absent. Motion carried.				
2.2 Open Meeting Law		The board reviewed an attorney general opinion related to open records/meeting law regarding the Mandan City Commission and an e-mail discussion that met the four elements of a "meeting".				
3.1 Financial Statements		Financial Statements through December 31, 2007 were reviewed. The board reviewed the comparison in actual expenditures to date from last year to this year. Income is at 85% and expenses were at 53% of budgeted. Tello-Pool reviewed the report in detail.				
3.2 Strategic Plan 2006-2009 Progress Report		The board reviewed the progress report of the 2006-2009 Strategic Plan. The plan is on track for this fiscal year, and details were outlined in the summary.				
4.1 Administrative Settlements - Practice Without a License		<i>Discussion:</i> One individual has signed and submitted an administrative settlement for practice without a license/registration since the last meeting. Each was reviewed and considered by the Board.				
		<i>Motion:</i> Traynor, seconded by Case to: ACCEPT THE ADMINISTRATIVE SETTLEMENTS FOR PRACTICE WITHOUT A LICENSE/REGISTRATION FOR THE FOLLOWING INDIVIDUALS:				
		Name	Lic/Reg #	City, State	Sanction	Penalty Fee
		Larson, Linda	R28762	Minot, ND	Reprimand	\$1000
		<i>Roll call vote:</i> Anderson, yes; Benson, yes; Case, yes; Christianson, yes; Hegle, absent; Schell, yes; Sund, yes; Tello-Pool, yes; Traynor, yes; 8 yes, 0 no, 1 absent. Motion carried.				

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4.41 Stipulation for Settlement – Susan Syverson, R27200	<p><i>Discussion:</i> A Stipulation for Settlement was received from Susan Syverson, RN, seeking the Board's consideration and approval of its terms. The Board reviewed and discussed the facts and terms of the Stipulation for Settlement for violation of NDCC 43-12.1-14 (3).</p> <p><i>Motion:</i> Anderson, seconded by Schell to:</p> <p>ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR SUSAN SYVERSON, RN, AND ENTER ITS ORDER TO:</p> <ul style="list-style-type: none"> ◆ ISSUE A REPRIMAND; ◆ ASSESS A \$600.00 PENALTY FEE PLUS COSTS AND DISBURSEMENTS; AND ◆ OTHER TERMS AS SET OUT IN BOARD ORDER. <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Case, yes; Christianson, yes; Hegle, absent; Schell, yes; Sund, yes; Tello-Pool, yes; Traynor, yes; 8 yes, 0 no, 1 absent. Motion carried.</p>
4.42 Stipulation for Settlement – Susan Anderson, R21839	<p><i>Discussion:</i> A Stipulation for Settlement was received from Susan Anderson, RN, seeking the Board's consideration and approval of its terms. The Board reviewed and discussed the facts and terms of the Stipulation for Settlement for violation of NDCC 43-12.1-14 (3).</p> <p><i>Motion:</i> Schell, seconded by Christianson to:</p> <p>ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR SUSAN ANDERSON, RN, AND ENTER ITS ORDER TO:</p> <ul style="list-style-type: none"> ◆ ISSUE A REPRIMAND; ◆ ASSESS A \$600.00 PENALTY FEE PLUS COSTS AND DISBURSEMENTS; AND ◆ OTHER TERMS AS SET OUT IN BOARD ORDER. <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Case, yes; Christianson, yes; Hegle, absent; Schell, yes; Sund, yes; Tello-Pool, yes; Traynor, yes; 8 yes, 0 no, 1 absent. Motion carried.</p>
4.43 Stipulation for Settlement – Brenda Miller, L6955	<p><i>Discussion:</i> A Stipulation for Settlement was received from Brenda Miller, LPN, seeking the Board's consideration and approval of its terms. The Board reviewed and discussed the facts and terms of the Stipulation for Settlement for violation of NDCC 43-12.1-14 (3).</p> <p><i>Motion:</i> Benson, seconded by Case to:</p> <p>ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR BRENDA MILLER, LPN, AND ENTER ITS ORDER TO:</p> <ul style="list-style-type: none"> ◆ ISSUE A REPRIMAND; ◆ ASSESS A \$600.00 PENALTY FEE PLUS COSTS AND DISBURSEMENTS; AND ◆ OTHER TERMS AS SET OUT IN BOARD ORDER. <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Case, yes; Christianson, yes; Hegle, absent; Schell, yes; Sund, yes; Tello-Pool, yes; Traynor, yes; 8 yes, 0 no, 1 absent. Motion carried.</p>
4.44 Stipulation for Settlement – RaeAnn Thorson, UAP/MA Applicant	<p><i>Discussion:</i> A Stipulation for Settlement was received from RaeAnn Thorson, Applicant for UAP and Medication Assistant, seeking the Board's consideration and approval of its terms. The Board reviewed and discussed the facts and terms of the Stipulation for Settlement for violation of NDCC 43-12.1-14 (1).</p> <p><i>Motion:</i> Benson, seconded by Christianson to:</p> <p>ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR RAEANN THORSON, APPLICANT FOR UAP AND MEDICATION ASSISTANT REGISTRY, AND ENTER ITS ORDER TO:</p> <ul style="list-style-type: none"> ◆ ENCUMBER THE REGISTRATION FOR EIGHTEEN MONTHS; ◆ ASSES A \$100.00 PENALTY FEE PLUS COSTS AND DISBURSEMENTS; AND ◆ OTHER TERMS AS SET OUT IN BOARD ORDER. <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Case, yes; Christianson, yes; Hegle, absent; Schell, yes; Sund, yes; Tello-Pool, yes; Traynor, yes; 8 yes, 0 no, 1 absent. Motion carried.</p>
4.45 Stipulation for Settlement – Gail Danielson, R17403	<p><i>Discussion:</i> A Stipulation for Settlement was received from Gail Danielson, RN, seeking the Board's consideration and approval of its terms. The Board reviewed and discussed the facts and terms of the Stipulation for Settlement for violation of NDCC 43-12.1-14 (4).</p> <p><i>Motion:</i> Christianson, seconded by Traynor to:</p> <p>ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR GAIL DANIELSON, RN, AND ENTER ITS ORDER TO:</p> <ul style="list-style-type: none"> ◆ ISSUE A REPRIMAND; ◆ ASSES A \$500.00 PENALTY FEE PLUS COSTS AND DISBURSEMENTS; AND ◆ OTHER TERMS AS SET OUT IN BOARD ORDER. <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Case, yes; Christianson, yes; Hegle, absent; Schell, recuse; Sund, yes; Tello-Pool, yes; Traynor, yes; 7 yes, 0 no, 1 recuse, 1 absent. Motion carried.</p>

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4.46 Stipulation for Settlement – Tina Bercier, L10654	<p><i>Discussion:</i> A Stipulation for Settlement was received from Tina Bercier, LPN, seeking the Board's consideration and approval of its terms. The Board reviewed and discussed the facts and terms of the Stipulation for Settlement for violation of NDCC 43-12.1-14 (3)(5) and NDAC 54-02-07-01.1 (5)(6)(7).</p> <p><i>Motion:</i> Anderson, seconded by Traynor to: ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR TINA BERCIER, LPN, AND ENTER ITS ORDER TO:</p> <ul style="list-style-type: none"> ♦ ISSUE A REPRIMAND; ♦ ASSES A \$600.00 PENALTY FEE PLUS COSTS AND DISBURSEMENTS; AND ♦ OTHER TERMS AS SET OUT IN BOARD ORDER. <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Case, yes; Christianson, yes; Hegle, absent; Schell, yes; Sund, yes; Tello-Pool, yes; Traynor, yes; 8 yes, 0 no, 1 absent. Motion carried.</p>
4.47 Stipulation for Settlement – Karen Utter, L9170	<p><i>Discussion:</i> A Stipulation for Settlement was received from Karen Utter, LPN, seeking the Board's consideration and approval of its terms. The Board reviewed and discussed the facts and terms of the Stipulation for Settlement for violation of NDCC 43-12.1-14 (3)(5) and NDAC 54-02-07-01.1 (5)(6)(7).</p> <p><i>Motion:</i> Benson, seconded by Traynor to: ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR KAREN UTTER, LPN, AND ENTER ITS ORDER TO:</p> <ul style="list-style-type: none"> ♦ ISSUE A REPRIMAND; ♦ ASSES A \$800.00 PENALTY FEE PLUS COSTS AND DISBURSEMENTS; AND ♦ OTHER TERMS AS SET OUT IN BOARD ORDER. <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Case, yes; Christianson, yes; Hegle, absent; Schell, yes; Sund, yes; Tello-Pool, yes; Traynor, yes; 8 yes, 0 no, 1 absent. Motion carried.</p>
4.48 Stipulation for Settlement – Keirsten Thomas, L11096	<p><i>Discussion:</i> A Stipulation for Settlement was received from Keirsten Thomas, LPN, seeking the Board's consideration and approval of its terms. The Board reviewed and discussed the facts and terms of the Stipulation for Settlement for violation of NDCC 43-12.1-14 (1).</p> <p><i>Motion:</i> Schell, seconded by Benson to: ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR KEIRSTEN THOMAS, LPN, AND ENTER ITS ORDER TO:</p> <ul style="list-style-type: none"> ♦ ISSUE A REPRIMAND; ♦ ASSES A \$500.00 PENALTY FEE PLUS COSTS AND DISBURSEMENTS; AND ♦ OTHER TERMS AS SET OUT IN BOARD ORDER. <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Case, yes; Christianson, yes; Hegle, absent; Schell, yes; Sund, yes; Tello-Pool, yes; Traynor, yes; 8 yes, 0 no, 1 absent. Motion carried.</p>
4.71 Request for Reinstatement – Geralyn Jorgenson, R23087	<p><i>Discussion:</i> Geralyn Jorgenson has requested reinstatement of her RN license to full status. The board reviewed the current order and discussed the Disciplinary Review Panel recommendation to reinstate the license to full licensure status as the terms and conditions of the board order dated July 20, 2006 have been met as reported by board staff.</p> <p><i>Motion:</i> Case, seconded by Benson to: GRANT THE REQUEST FOR REINSTATEMENT OF GERALYN JORGENSEN'S RN LICENSE TO FULL LICENSURE STATUS AS SHE AS COMPLIED WITH TERMS AND CONDITIONS OF THE BOARD ORDER DATED JULY 20, 2006.</p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Case, yes; Christianson, yes; Hegle, absent; Schell, yes; Sund, yes; Tello-Pool, yes; Traynor, yes; 8 yes, 0 no, 1 absent. Motion carried.</p>
4.72 Request for Reinstatement – Yvonne Mauch, L7583 (11:00 a.m.)	<p><i>Discussion:</i> Sund recused herself from this agenda item and Benson chaired the meeting. Yvonne Mauch, LPN, has requested reinstatement of her LPN license to full status and was present for this agenda item via telephone. A poor phone connection delayed the meeting time with Ms. Mauch until 1:15 p.m. Hill reviewed Ms. Mauch's current board order, and conditions of the order that have been met. Concerns with medication errors reported in the employer quarterly reports were discussed with Ms. Mauch. Ms. Mauch indicated that she felt she has complied with the conditions of her board order and that her license should be reinstated. The board reviewed and discussed the Disciplinary Review Panel recommendation to encumber her license for an additional year due to continued violations as noted in the quarterly employer reports.</p> <p><i>Motion:</i> Traynor, seconded by Christianson to: DENY THE REQUEST FOR REINSTATEMENT FOR YVONNE MAUCH, LPN, AS SHE HAS HAD FURTHER VIOLATIONS OF THE NURSE PRACTICES ACT OCCURING DURING THE PROBATIONARY PERIOD AND THE LICENSE BE ENCUMBERED FOR ONE ADDITIONAL YEAR WITH THE SAME TERMS AND CONDITIONS OF THE CURRENT BOARD ORDER DATED JANUARY 19, 2006.</p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Case, yes; Christianson, yes; Hegle, absent; Schell, yes; Sund, recuse; Tello-Pool, yes; Traynor, yes; 7 yes, 0 no, 1 recuse, 1 absent. Motion carried.</p>

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4.10 Miscellaneous Discipline Issues	<p>Bitz reported that the following individuals have been automatically suspended and issued a notice of suspension for violating their Board order or Workplace Impairment Program Agreement:</p> <ul style="list-style-type: none"> • Tina Smith, R29942, Fargo ND suspended for a period of two years • Karen Walker, L10212, Fargo ND suspended for a period of one year • Jennifer Kosteletzky, L9956, Dickinson ND suspended for a period of two years • Linda Schmidt, R27388, Grand Forks ND suspended for a period of two years
5.21 United Tribes Technical College AASPN Update on NCLEX pass rate	<p><i>Discussion:</i> Shanta reported that the board required an update from UTTC to address their NCLEX pass rate. UTTC implemented the plan in May 2006, and the May 2007 graduates' first time pass rate was 92%, with a yearly average of 84.62%.</p> <p><i>Motion:</i> Anderson, seconded by Case to: ACCEPT THE UPDATE REPORT FROM UNITED TRIBES TECHNICAL COLLEGE RELATED TO NCLEX PASS RATES ACCORDING TO NDAC 54-03.2-07-01.1 PERFORMANCE OF GRADUATES ON LICENSING EXAMINATION.</p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Case, yes; Christianson, yes; Hegle, absent; Schell, yes; Sund, yes; Tello-Pool, yes; Traynor, yes; 8 yes, 0 no, 1 absent. Motion carried.</p>
5.22 Dakota Nursing AAS Program Course Revision	<p><i>Discussion:</i> Traynor recused herself from this agenda item. The Dakota Nursing Program submitted a course revision NURS 226 Maternal Child Nursing Syllabus. The board reviewed the documentation submitted by the program.</p> <p><i>Motion:</i> Case, seconded by Christianson to: APPROVE THE PROGRAMMATIC CHANGES FOR DAKOTA NURSING AAS PROGRAM ACCORDING TO NDAC 54-03.2-06.02</p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Case, yes; Christianson, yes; Hegle, absent; Schell, yes; Sund, yes; Tello-Pool, yes; Traynor, recuse; 7 yes, 0 no, 1 recuse, 1 absent. Motion carried.</p>
5.23 NDSCS Request for adjusted survey schedule and extension of approval	<p><i>Discussion:</i> ND State College of Science has requested an extension of their approval for their AASPN program in order to have the survey visit coincide with their ASN program. Shanta indicated the AASPN pass rate has been above 90%, the program has full approval for the board, and has continued NLNAC accreditation until 2011.</p> <p><i>Motion:</i> Traynor, seconded by Schell to: ACCEPT THE REQUEST OF THE ND STATE COLLEGE OF SCIENCE PRACTICAL NURSING PROGRAM AND EXTEND THE APPROVAL THROUGH MARCH 2011 ACCORDING TO NDAC 54-03.2-07-03. FULL APPROVAL CONSISTENT WITH THE ASN PROGRAM APPROVAL.</p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Case, yes; Christianson, yes; Hegle, absent; Schell, yes; Sund, yes; Tello-Pool, yes; Traynor, yes; 8 yes, 0 no, 1 absent. Motion carried.</p>
5.31 MSCTC Medication Assistant Program II	<p><i>Discussion:</i> MN State Community and Technical College submitted their Medication Assistant Program II for board review and continued approval. Hill indicated the course meets the guidelines as set out by the board.</p> <p><i>Motion:</i> Case, seconded by Traynor: THAT THE MN STATE COMMUNITY & TECHNICAL COLLEGE MEDICATION ASSISTANT PROGRAM II MEETS THE REQUIREMENTS FOR MEDICATION ASSISTANT PROGRAM II AS SET BY NDAC CHAPTER 54-07-07 AND THAT THE BOARD GRANT CONTINUED APPROVAL FOR THIS COURSE FROM JANUARY 2008 THROUGH JANUARY 2012.</p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Case, yes; Christianson, yes; Hegle, absent; Schell, yes; Sund, yes; Tello-Pool, yes; Traynor, yes; 8 yes, 0 no, 1 absent. Motion carried.</p>
5.41 CNE-Net LPN Refresher Course	<p><i>Discussion:</i> CNE-Net LPN Refresher Course has been rewritten and submitted to the board for review and continued approval. Shanta noted that the theory has been increased to 100 hours and clinical has been increased to 160 hours which exceeds the board guideline requirements. The theory portion of the course materials will be delivered on-line, although it is not an interactive course. Shanta indicated the course has been improved and exceeds the requirements, and also noted that the course will use the term practical nurse throughout as those taking the course are not licensed.</p> <p><i>Motion:</i> Traynor, seconded by Anderson: THAT THE BOARD GRANT CONTINUED APPROVAL FOR THE CNE-NET PN REFRESHER COURSE ACCORDING TO BOARD GUIDELINES FROM JANUARY 2008 THROUGH JANUARY 2012.</p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Case, yes; Christianson, yes; Hegle, absent; Schell, yes; Sund, yes; Tello-Pool, yes; Traynor, yes; 8 yes, 0 no, 1 absent. Motion carried.</p>
5.42 Ratification of Approval of workshops, etc for Contact Hours	<p><i>Discussion:</i> The board reviewed a list of courses approved by board staff for contact hours as of January 7, 2008.</p> <p><i>Motion:</i> Anderson, seconded by Case to: RATIFY APPROVAL OF THE WORKSHOPS FOR CONTACT HOURS SUBMITTED TO THE ND BOARD OF NURSING, WHICH INCLUDES COURSES #644 THROUGH #651.</p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Case, yes; Christianson, yes; Hegle, absent; Schell, yes; Sund, yes; Tello-Pool, yes; Traynor, yes; 8 yes, 0 no, 1 absent. Motion carried.</p>

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5.51 Nurse Faculty Intern Pilot Study	<p><i>Discussion:</i> Shanta reported that five Nurse Faculty Intern participants have not responded to the pre-test self-evaluation survey. The board discussed the need to have participation in the study in order for the study to be valid, and it has become too late for these individuals to complete a pre-test survey as they have been employed for a full semester. The NFI Research team recommends these individuals be discharged from the NFI Pilot Study. These individuals will fall under unqualified faculty according to NDAC 54-03.2-04-04 and may continue to be employed if the program meets requirements in NDAC 54-03.2-04-08.</p> <p><i>Motion:</i> Case, seconded by Benson to: DISCHARGE THE FOLLOWING APPLICANTS FROM THE NFI PILOT STUDY FOR FAILURE TO SUBMIT SURVEY DATA: <div style="display: flex; justify-content: space-around;"> <div style="text-align: center;"> Brent Kaiser Christine Lauzon Valerie Jones </div> <div style="text-align: center;"> Debra Evenson Erik Watson </div> </div> </p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Case, yes; Christianson, yes; Hegle, absent; Schell, yes; Sund, yes; Tello-Pool, yes; Traynor, yes; 8 yes, 0 no, 1 absent. Motion carried.</p> <p><i>Discussion:</i> One individual has submitted her pre-test information, but her mentor has not submitted the required survey data so it can be used in the study.</p> <p><i>Motion:</i> Case, seconded by Benson to: DISCHARGE BARBARA ROTH FROM THE NFI PILOT STUDY FOR FAILURE OF THE MENTOR TO SUBMIT SURVEY DATA.</p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Case, yes; Christianson, yes; Hegle, absent; Schell, yes; Sund, yes; Tello-Pool, yes; Traynor, yes; 8 yes, 0 no, 1 absent. Motion carried.</p> <p><i>Discussion:</i> Traynor recused herself from this agenda item. One application for Nurse Faculty Intern Pilot Study has been received and reviewed since the last meeting.</p> <p><i>Motion:</i> Case, seconded by Schell to: RATIFY APPROVAL OF THE FOLLOWING NURSE FACULTY INTERN: <ul style="list-style-type: none"> • KAREN CLEMENTICH </p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Case, yes; Christianson, yes; Hegle, absent; Schell, yes; Sund, yes; Tello-Pool, yes; Traynor, recuse. 7 yes, 0 no, 1 recuse, 1 absent. Motion carried.</p>
5.52 Report of Out-of-State Students	Shanta reported there are 213 out of state students receiving clinical experience in ND to date.
5.53 PCI Publishing Scholarship Fund	Publishing Concept Inc, the company that publishes the Dakota Nurse Connection has established a Scholarship Fund "Think About Nursing" for nursing students from each state currently served by PCI state board of nursing publications.
5.54 Petition for Continued Recognition by US Dept of Education	Staff submitted a petition for continued recognition by the US Dept of Education. The US Dept of Education will accompany staff on a site survey this spring.
6.1 Online Renewal Report	The 2008-2009 on-line renewal process was completed 12/31/07. Of those previously licensed: 1712 LPNs renewed, 360 did not; 4321 RNs renewed and 350 did not, 3 SPRN renewed, 323 APRNs renewed and 26 did not; APRN in another compact state 12 renewed 9 did not. Kalanek indicated that the CE audit is currently in progress with 38 left to submit materials.
6.2 Criminal History Record Checks Updates	The board reviewed a "Study Conducted on Effectiveness of Nurse Criminal Background Checks" from the TX Board of Nursing. The majority of the revisions to the current rules relate to criminal history record checks. The TX Board of Nursing results found 852 more nurses, an increase of 258%, were sanctioned after the mandated CBCs. Criminal background checks will begin in ND on July 1, 2008.
6.3 NCLEX-PN increase in Passing Standard.	The Board of Directors at NCSBN has raised the LPN Passing standards effective April 1, 2008. The increase is a result of research used to determine safe entry level practice.
6.4 Item Development Panel Appointment – Ruth Hursman	<p><i>Discussion:</i> Ruth Hursman has applied to serve on the NCSBN NCLEX Examination Item Development Panel.</p> <p><i>Motion:</i> Traynor, seconded by Anderson to: RATIFY THAT RUTH HURSMAN MEETS THE QUALIFICATIONS FOR SERVING ON THE NCSBN NCLEX EXAMINATION ITEM DEVELOPMENT PANEL.</p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Case, yes; Christianson, yes; Hegle, absent; Schell, yes; Sund, yes; Tello-Pool, yes; Traynor, yes; 8 yes, 0 no, 1 absent. Motion carried.</p>
7.12 Request for Recognition of QSP Registry – NDDHS	<p><i>Discussion:</i> The ND Dept of Human Services is requesting that the Board recognize the Qualified Service Provider (QSP) list in lieu of the unlicensed assistive person registry for individuals who will be enrolled to provide attendant care and extended person care under the Medicaid Waivers.</p> <p><i>Motion:</i> Traynor, seconded by Benson to: RECOGNIZE THE QUALIFIED SERVICE PROVIDER LIST AS A REGISTRY ACCORDING TO NDAC 54-07-01-03. RECOGNITION OF OTHER STATE REGISTRIES IN LIEU OF THE UNLICENSED ASSISTIVE PERSON REGISTRY FOR INDIVIDUALS WHO WILL BE ENROLLED TO PROVIDE ATTENDANT CARE AND EXTENDED PERSONAL CARE UNDER THE MEDICAID WAIVERS.</p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Case, yes; Christianson, yes; Hegle, absent; Schell, yes; Sund, yes; Tello-Pool, yes; Traynor, yes; 8 yes, 0 no, 1 absent. Motion carried.</p>

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7.13 Procedural Sedation Consensus Statement – Draft	<p><i>Discussion:</i> Additional participants for this agenda item were Donna Mason, Nashville, TN, ENA President, Mary Jagim, RN from Meritcare, Jason Keifler, flight nurse at Meritcare, and Brian Bergeson, SAAG. Kalanek reviewed background information that has been used in researching the issue of whether or not it is in the scope of practice for RNs to administer medications for procedural sedation according to established guidelines. Kalanek provided a comparison document of the NDBON practice statement, consensus document, and MN practice statement. The major difference is the lack of a definition of Procedural Sedation in the NDBON statement. Mason has been working with procedural sedation for over a year and indicated that allowing nurses to administer procedural sedation assists with patient comfort and well being. The Emergency Nurses Association has researched the issue on a national level, and has developed a document “Procedural Sedation Consensus Statement” that will be distributed later this spring. ENA believes that when nurses have the appropriate training, backup, policies and procedures, etc, RNs can deliver safe procedural sedation. The American Association of Nurse Anesthetists did participate in the discussions but did not sign on to the document. Mary Jagim, RN, representing the ENA in ND discussed the issue from a local level, and indicated that she has been very involved in the research and development of the consensus statement. Jason Keifler RN discussed situations that arise in the ER which could be helped if nurses could assist with procedural sedation. It was noted that the MN Board of Nursing has this provision in their practice statement. Benson indicated that he is a member of ND Association of Nurse Anesthetists, and explained the concerns of the association with situations that may arise from adverse outcomes with the administration of certain drugs for procedural sedation. He stressed the importance of needing to know how to manage an airway and the need to be able to act should adverse reactions happen. Benson recused himself as a board member for the remainder of this discussion. The board discussed that as a practice statement, the facility would need to decide whether or not to implement these procedures. The board discussed concerns of rural facilities that do not have the necessary backup versus the larger hospitals that have backup staff available. The proposed statement with revisions was reviewed and discussed at length by the board. Board members requested additional time to review materials presented and to gather additional information on the subject.</p> <p><i>Motion:</i> Tello-Pool, seconded by Traynor to: TABLE THE DECISION ON THE REVISIONS TO THE PRACTICE STATEMENT: “ROLE OF THE REGISTERED NURSE IN THE MANAGEMENT OF PATIENTS RECEIVING SEDATION/ANALGESIA FOR THERAPEUTIC, DIAGNOSTIC, OR SURGICAL PROCEDURES” UNTIL THE MARCH MEETING WITH ADDITIONAL RESEARCH/DOCUMENTATION.</p> <p><i>Roll call vote:</i> Anderson, yes; Benson, recuse; Case, yes; Christianson, yes; Hegle, absent; Schell, yes; Sund, yes; Tello-Pool, yes; Traynor, yes; 7 yes, 0 no, 1 recuse, 1 absent. Motion carried.</p>
7.14 Role of the Dialysis Technician – Interim report	The Dialysis Technician Task Force met on Tuesday, December 18, 2007 for the purpose of developing guidelines for the role of the dialysis technician. A second meeting will be held in February.
7.31 Prescriptive Authority Applications	<p><i>Discussion:</i> One individual has submitted an application for prescriptive authority since the last meeting.</p> <p><i>Motion:</i> Case, seconded by Schell to: RATIFY PRESCRIPTIVE AUTHORITY FOR THE FOLLOWING: Danielle McPherson, FNP, Bismarck Collaborative Physician - Douglas Eggert MD</p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Case, yes; Christianson, yes; Hegle, absent; Schell, yes; Sund, yes; Tello-Pool, yes; Traynor, yes; 8 yes, 0 no, 1 absent. Motion carried.</p>
7.32 Report from the Prescriptive Authority Committee	The Prescriptive Authority Committee met January 16, 2008 at 5:00 p.m. Benson reported that the committee received an update on prescription drug monitoring program. A new tamper resistant prescription tablets for writing prescriptions will take effect on April 1 st . The Committee reviewed the APRNs that have been approved for prescriptive authority in ND for 2007.
7.33 Update on APRN Activities	The board reviewed an update from NCSBN on the APRN Joint Dialogue Group. The group is collecting feedback on the draft APRN Joint Dialogue Group Report. Other issues discussed were the ANCCs decision to allow alternative eligibility criteria for individuals interested in taking the gerontology NP examination, development of model APRN rules to assist with APRN compact licensure.
7.34 Report on Prescriptive Drug Monitoring Program	The minutes of the Prescription Drug Monitoring Program Advisory Council Meeting Minutes of December 11, 2007 were reviewed. The program was developed to track controlled substance prescriptions throughout the state to alert of possible prescription drug abuse. The Board will provide a website link for use by the APRNs with prescriptive authority.
7.35 Advanced Practice Renewal Requirements	Kalanek reported that one APRN, Shelly Botsford, was renewed pending recertification information by January 30, 2008. Due to a backlog in recertification, there has been a delayed processing time for re-certifications through ANCC.
7.42 NLCA Minutes – October	Minutes from the October 9, 2007 Nurse Licensure Compact Administrators were reviewed. A new version of NURSUS will be released near the end of January. Reviewed NLC State information regarding criminal background checks for nurse licensure applicants.
7.54 BON facts & talking points	The board reviewed an updated document of the Board of Nursing facts and talking points.
7.5 Administrative Rules Hearing – 1:30 p.m.	The board recessed at 1:40 p.m. for the administrative rules hearing on revisions to NDAC Chapter 54.

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AGENDA ITEM	ACTION
7.55 Notice of Intent to Adopt Administrative Rules – Expedited Partner Therapy	<p><i>Discussion:</i> Board of Pharmacy, Board of Medicine and Board of Nursing will hold a joint public hearing to address proposed adoption of NDAC on February 20, 2008 in the Conference room at the Board of Pharmacy. A practitioner who diagnoses a sexually transmitted disease, such as Chlamydia, Gonorrhea, or any other sexually transmitted infection in an individual patient may prescribe, or dispense, and a pharmacist may dispense, prescription antibiotic drugs to that patients' sexual partner or partners without there having been an examination of that patient's sexual partner or partners.</p> <p><i>Motion:</i> Benson, seconded by Case to: INITIALLY ADOPT FOR PUBLIC HEARING THE PROPOSED REVISIONS TO NDAC CHAPTER 54-05-03.1-10 AUTHORITY TO PRESCRIBE RELATED TO EXPEDITED PARTNER THERAPY AS A JOINT RULE PROMULGATION WITH THE NORTH DAKOTA BOARD OF MEDICAL EXAMINERS AND THE NORTH DAKOTA BOARD OF PHARMACY.</p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Case, yes; Christianson, yes; Hegle, absent; Schell, yes; Sund, yes; Tello-Pool, yes; Traynor, yes; 8 yes, 0 no, 1 absent. Motion carried.</p>

CONSENT AGENDA:

8.1 NCSBN
8.11 Updated National Council State Board of Nursing 101 Course
8.2 Office Management
8.3 Nursing Practice
8.31 Summary of practice calls
8.4 Workplace Impairment Program Report
8.41 Statistics
8.5 Unlicensed Assistive Person/Medication Assistant
8.51 Testing Summary Report
8.52 NNAAP Testing
8.6 Licensure
8.61 Licensed Nurse
8.62 Unlicensed Assistive Person
8.63 NCLEX-RN – none
8.64 NCLEX-PN - none
8.65 Late Renewal Summary
8.7 Discipline
8.71 Disciplinary Statistics/Case Activity Report
8.8 Legal Counsel
8.9 Education
8.91 PCI – Think About It Nursing Scholarship Fund
8.92 Northland Community & Technical College notification of 29 ADN students obtaining clinical education in ND facilities
8.93 Clarkson College notification of 1 NP student obtaining clinical education in ND facilities
8.94 MSCTC notification of 60 AASPN students obtaining clinical education in ND facilities
8.95 MSCTC notification of 29 ADN students obtaining clinical education in ND facilities
8.96 MSU-M notification of 74 BSN students obtaining clinical education in ND facilities
8.97 RWJ Foundation and AARP Foundation
8.98 Minot State University describing minor course name changes
8.99a USD notification of 8 ADN students obtaining clinical education in ND facilities
8.99b Presentation College notification of 5 BSN students obtaining clinical education in ND

BOARD COMMITTEES:

9.1 Program Monitoring Committee	
9.2 Nursing Education Committee	
9.3 Finance Committee	
9.4 Executive Committee	
9.5 Prescriptive Authority Committee	
9.6 Nursing Practice Committee	

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UPCOMING MEETINGS & REPORT OF MEETINGS ATTENDED:

10.1 NCSBN Annual Meetings – August 7-10, 2008; Chicago
10.2 NCSBN Monthly Meetings by teleconference calls and onsite:
10.2-1 National and State Policy November 28; January 30
10.2-2 Education Consultant Network – December 13; January 10; February 12
10.2-3 Discipline Consultant – December 11; February 12
10.2-4 EO Network – February 11; March 3
10.2-5 NLCA Meeting – August 6, Chicago
10.2-6 Mid-Year Meeting – March 4-5
10.2-8 NCSBN Executive Officers Leadership Seminar; June 23-24
10.2-9 Annual Institute of Regulatory Excellence – January 7-9, 2008
10.2-11 IRE Committee, December 13-14; January 15; February 19-20 Kalanek is chair of that committee that is planning and evaluating the Fellowship.
10.2-12 Board Investigator & Attorney Workshop; May 18-21
10.2-13 NCLEX Invitational
10.2-15 Faculty Shortage: Implications for Regulation, March 26, 2008
10.2-16 TERCAP Task Force, December 4, 2007; January 11; February 7-8
10.2-17 Practice Consultant Network – December 17; February 15
10.2-18 Education Consultant Task Force –Wiki Project Webinar – December 21, 2007
10.2-19 Member Board Disaster Preparedness Committee, January 30 Tello-Pool, Chair will review each boards disaster preparedness and COOP plans. Meeting January 30 th and February 1 st . Will be presented at mid-year meeting.
10.2-20 Examination Committee – January 22-24; April 15-17
10.2-21 Regulation of Unlicensed Personnel – June 13
10.3 ND Nurse Leadership Council, December 6 – canceled
10.4 ND Organization of Nurse Executives – December canceled
10.5 ND Nurses Association
10.6 ND Rural & Public Health Conference – March 25-27, 2008 – Fargo
10.7 ND LTCA Conference,
10.8 ND Health Care Association Annual Meeting
10.9 ND Domestic and Sexual Violence State Prevention Team – January 12
10.10 Nurse Education Higher Education Work Group –
10.11 Prescription Drug Monitoring Program update – December 11 – Rising
10.12 Nursing Education Consortium – SB 2379 – December 12 – webcast
10.13 ND Legislative Council – Human Services Committee minutes
10.14 NDHS Adult Service Committee – December 11
10.15 Health Workforce Summit Workgroup

Staff Presentation

- 11.1 Workplace Impairment Program Presentation @ NDONA Conference, Fargo, ND – February 20, 2008
- 11.2 Faculty Shortage: Implications for Regulation, Chicago, March 26, 2008
- 11.3 TERCAP Forum, Chicago – April 7, 2008
- 11.4 IRE Conference, Policy Development in the Nurse Regulator role and Relationships with Stakeholders, Austin, - January 8
- 11.5 APRN Practice, U of Mary, January 11
- 11.6 Emerging Issues – Triumph Hospital, Feb 7

The meeting recessed for lunch at 11:45 a.m. on January 17, 2008 and reconvened at 1:00 p.m.

The meeting adjourned at 3:00 p.m. on January 17, 2008.

Constance B. Kalanek, RN, PhD
Executive Director
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